

Association of Legal Professionals (ALP)

April 18, 2011

Ms. Gina Donnelly
Office of Employee Relations
City of San Jose
200 East Santa Clara St.
San Jose, Ca 95113

RE: City Declaration of Impasse

Dear Ms. Donnelly:

This is in response to your letter dated Friday, April 15, 2011, which we received by e-mail attachment at 4:45 p.m.

After our morning negotiating session on Thursday April 14, 2011, you agreed to take ALP's April 14 offer to the City Council this coming Tuesday, April 19. Although, the City negotiating team later stated in our afternoon negotiating session that it would not recommend the offer to the Council for adoption, the City team did not declare impasse, nor did it present the ALP Negotiating Team with the City's last, best, and final offer. We are surprised and dismayed at the mistaken impression that your subsequent letter leaves on readers that ALP has agreed that the parties are at impasse.

Let us clarify that the City is declaring impasse in its April 15 letter. Not ALP. Furthermore, the declaration of impasse by the City negotiating team is premature prior to the presentation of ALP's latest offer to the City Council, which makes numerous concessions and is a mirror image of the compensation plans for Units 99, 81, and 82 that City Management is proposing for adoption by Council on Tuesday.

Nor did ALP agree that a mediator should be called in for Thursday, April 21. Indeed, the City negotiating team did not even discuss the issue of mediation with ALP's negotiating team on Thursday before scheduling it. The scheduling of a mediator is premature prior to Council consideration of the ALP's offer. We will attend the negotiation session this Thursday afternoon as planned, but we do not believe that the state mediator should be there. We should see if we can work things out based upon Council's reaction to ALP's offer.

At the beginning of the budget process, the City Council asked City employees to make permanent compensation reductions in the amount of 10 percent. In its most recent proposal, ALP has agreed to do so and has agreed to further benefit reductions that make the total cost savings to the City significantly higher than 10 percent. ALP's

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latest proposal **offers the same compensation and benefit reductions** that the City administration is recommending for Units 99, 81, and 82. ALP's latest proposal also is completely consistent with the compensation and benefit concessions the City administration is recommending for AEA, AMSP and CAMP on Tuesday. Thus, it is difficult to understand how the City negotiating team can declare impasse without even presenting ALP's offer to the City Council.

ALP asks that the City Negotiating Team present ALP's offer to the City Council, and give the City Council a fair and reasonable opportunity to consider and accept the same compensation and benefit reductions for ALP that the City administration is recommending for the other bargaining groups.

Sincerely,



VERA M. I. TODOROV
Vice President/ Negotiating Team Member
ASSOCIATION OF LEGAL PROFESSIONALS

cc: Marco Mercado, City Negotiation Team Member
Charles Sakai, City Negotiation Team Member
ALP Negotiating Team